

# **Town Board Minutes**

**Meeting  
No. 21**

***Special Meeting***

**July 7, 1997**

MEETINGS TO DATE 21  
NO. OF REGULARS 12  
NO. OF SPECIALS 9

LANCASTER, NEW YORK  
JULY 7, 1997

A joint meeting of the Town Board and the Planning Board of the town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 7th day of July 1997, at 6:30 PM and there were

**PRESENT:** ROBERT GIZA, SUPERVISOR  
DONALD KWAK, COUNCIL MEMBER  
JOHN MILLER, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
FRANK DE CARLO, PLANNING BOARD MEMBER  
JOHN GOBER, PLANNING BOARD MEMBER  
STEVEN SOCHA, PLANNING BOARD MEMBER  
MELVIN SZYMANSKI, PLANNING BOARD MEMBER  
MILDRED WHITTAKER, PLANNING BOARD MEMBER

**ABSENT:** REBECCA ANDERSON, PLANNING BOARD CHAIRMAN  
DAVID MARRANO, PLANNING BOARD MEMBER

**ALSO PRESENT:** ROBERT THILL, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT LANEY, BUILDING INSPECTOR  
ROBERT LABENSKI, TOWN ENGINEER

**PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one action.

**IN THE MATTER OF THE SEQR REVIEW OF THE  
PROPOSED AMENDMENT TO ZONING ORDINANCE  
§50-24.B. - PERMITTED USES**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on a proposed amendment to the Town of Lancaster Zoning Ordinance, Section 50-24.B. - "Permitted Uses" matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK  
WHO MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD MEMBER WHITTAKER, TO WIT:**

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:  
PROPOSED AMENDMENT TO ZONING ORDINANCE  
§50-24.B. - PERMITTED USES**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE OF ACTION:**

This action is for a review of a proposed amendment to Chapter 50, Zoning, Section 24.B of the Code of the Town of Lancaster to add "Commercial Recreation Activity by Special Use Permit" as a new permitted use in the LI, Light Industrial District.

**REASONS SUPPORTING DETERMINATION**

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type I threshold in 6 NYCRR, Part 617.12.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

**No adverse effects noted**

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

**No adverse effects noted**

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

**No adverse effects noted**

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources. Small to moderate change in use noted.

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action. Small to moderate inducement for related activities noted.

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

**No adverse effects noted**

- C.7 Other impacts (including changes in use of either quantity or type of energy).

**No adverse effects noted**

- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_  
Robert H. Giza, Supervisor

**SEAL**

Town of Lancaster

July 7, 1997

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

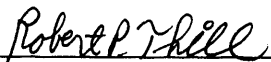
SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD CHAIRMAN ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER DE CARLO	VOTED NO
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

July 7, 1997

**ADJOURNMENT:**

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 6:55 P.M.

  
Robert P. Thill, Town Clerk

# **Town Board Minutes**

**Meeting  
No. 22**

***Regular Meeting***

**July 7, 1997**

MEETINGS TO DATE 22  
NO. OF REGULARS 13  
NO. OF SPECIALS 9

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LANCASTER, NEW YORK  
JULY 7, 1997

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 7th day of July, 1997 at 8:00 P.M. and there were

**PRESENT:** DONALD KWAK, COUNCIL MEMBER  
JOHN MILLER, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** ROBERT THILL, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT LANEY, BUILDING INSPECTOR  
JOHANNA COLEMAN, RECEIVER OF TAXES  
CHRISTINE FUSCO, ASSESSOR

**PERSONS ADDRESSING THE TOWN BOARD:**

**Wander, Art**, 9 Broadmoor Court, spoke to the Town Board on the following matter:

Thanked the Town Board members for their efforts in mitigating many of the adverse effects of the proposed Marrano rezone for an extension of Trentwood Trail

**Bastian, Norman**, 5747 Genesee Street, spoke to the Town Board on the following matters:

- Requested an explanation of prefiled resolution No. 7.
- A listing of the ambulance and fire calls to the Tops Distribution Site.

**Gull, Henry**, 710 Pavement Road, spoke to the Town Board on the following matters:

- Rats at the Tops Distribution Site.
- Completion of a detention basin at the Tops Distribution Site.

**Kubicki, Gloria**, 15 Maple Drive, spoke to the Town Board on the following matters:

- Asked questions about prefiled resolutions Nos. 13 and 14.
- Development of a master plan.

**Schneggenburger, Roy**, 87 Stony Road, spoke to the Town Board on the following matters:

- The legality of a special Town Board meeting held June 27, 1997.
- The legality of Town Board actions taken at a special Town Board meeting held March 17, 1997 approving a site plan for the Jiffy-Tite Company Inc.
- Adelphia Cable rate increases.
- A water line break in the Westwood Park shelter.

**Symer, Donald**, 610 Columbia Avenue, spoke to the Town Board on the following matter:

The proposed width of the right of way of Trentwood Trail in the proposed Marrano rezone petition.

**Frank, MaryAnn**, 5176 Genesee Street, spoke to the Town Board on the following matter:

Brush and shrubs on Harris Hill Road obscuring the vision of motorists exiting the new Bowmansville Post Office.

**Zimmerman, John**, a rodent and pest control consultant at the Tops Distribution Center and **James DiMartino** from Tops Markets Inc.:

Explained to the Town Board the rodent and pest control program presently in effect at the Tops Distribution Center on Genesee Street.

**Okal, Dorothy**, 185 Iroquois Avenue, spoke to the Town Board on the following matter:

Expressed opposition to the proposed Marrano rezone for Trentwood Trail.

**Koscielay, Cindy**, 190 Iroquois Avenue, spoke to the Town Board on the following matter:

Expressed opposition to the proposed Marrano rezone for Trentwood Trail.

**Farmer, Sue**, 208 Iroquois Avenue, spoke to the Town Board on the following matter:

Expressed opposition to the proposed Marrano rezone for Trentwood Trail.

**Jones, Jennifer**, 112 Newberry Lane, spoke to the Town Board on the following matter:

Expressed opposition to the proposed Marrano rezone for Trentwood Trail.

**Laufer, Clay**, 12 Traceway, spoke to the Town Board on the following matter:

Expressed concern over the size of homes proposed for Trentwood Trail.

**Czajka, Joseph & Sandra**, 151 Schwartz Road, spoke to the Town Board on the following matter:

The appearance of a fence proposed to be erected by a neighbor.

**Brett, James**, 659 Harris Hill Road, spoke to the Town Board on the following matters:

- Prefiled resolution No. 11.
- A better standard to display the American flag at Town Board meetings.



**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MILLER TO WIT:

**RESOLVED**, that the minutes from the Regular Meeting of the Town Board  
held on June 16, 1997 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
STEMPNIAK, TO WIT:

**WHEREAS,** the Building Inspector of the Town of Lancaster has purchased a supply of Town street maps and Town Zoning maps for internal use by the various officials and departments of the Town of Lancaster and for distribution to the public at a price to be set by the Town Board, and

**WHEREAS,** the Town Clerk has recommended a sale price to the public of \$3.00 for a street map and \$5.00 for a zoning map,

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Clerk of the Town of Lancaster be and is hereby authorized to sell to the general public a Town of Lancaster street map at \$3.00 each and a Town of Lancaster zoning map at \$5.00 each.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: RMAPS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
KWAK, TO WIT:

**WHEREAS**, the Town Board has sought proposals from consulting engineering firms to provide services to the Town on an as needed basis, and

**WHEREAS**, the Town Board deems it in the public interest to accept proposals setting forth professional services which shall be available to the Town when deemed necessary by the Town Board, and

**WHEREAS**, the Town has received and reviewed a proposal in this regard from Abate Engineering Associates, P.C.,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposal for future engagement for professional services to be rendered when deemed necessary by the Town Board from Abate Engineering Associates, P.C., 4455 Genesee Street, P.O. Box 400, Buffalo, New York 14225.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: rengsrv.1

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA . WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
MONTOUR . TO WIT:

**WHEREAS, SOUTHEAST COMMUNITY WORK CENTER, INC.**

provides general cleaning services to the Town of Lancaster at the Town Court and Police  
Headquarters Building through its Supported Employment Program, and

**WHEREAS,** the Town Board deems it in the public interest to continue this  
service:

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby authorizes  
the Supervisor of the Town of Lancaster to execute a contract with the Southeast Community  
Work Center, Inc., which will provide for a continuation of cleaning services at the Town Court  
and Police Headquarters Building located at 525 Pavement Road, Lancaster, New York .

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: rseclgag

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, Michael Weis, Epic Capital Corporation was issued a building permit for a Tensar Air supported multi-purpose sports complex located on Wehrle Drive on November 18, 1996, and

**WHEREAS**, the dome facility constructed was destroyed in a severe wind storm on February 28, 1997, and

**WHEREAS**, the Town Board has since that time by resolution adopted on May 5, 1997, approved the reconstruction of the facility as a hard building serving the same purpose and use as a sports and recreation facility, and

**WHEREAS**, the Building Inspector has informed the Town Board that the plumbing in the original facility remains intact and will be incorporated into the new structure, and

**WHEREAS**, the owner has therefore requested a waiver of the plumbing fee, together with waivers for the conservation, tree and public safety fees already once paid on the original facility, together with a portion of the Certificate of Occupancy Fee, since one was paid on the prior structure, and

**WHEREAS**, the Town Board has given due consideration to the request for the said waivers, understanding that all other building permit fees will be paid;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby waives the collection of (1) the plumbing fee; (2) the conservation, tree and public safety impact fees, and (3) that portion of the Certificate of Occupancy Fee previously paid on the dome facility, on the Epic Capital sports plex replacement facility on Wehrle Drive, with the balance of all building permit fees as required by Town ordinance to be collected as relates to a new commercial building, said balance due in the sum of \$19,948.57.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: repichdf

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION. SECONDED BY COUNCIL MEMBER  
KWAK, TO WIT:

**WHEREAS, Leonard R. Campisano**, an Assistant Building Inspector in the Building and Zoning Department, by letter dated June 27, 1997, has requested permission to carry over his twenty-one (21) hours of vacation time accrued which he cannot take by his anniversary date of July 4, 1997 due to reasons cited in his letter, and

**WHEREAS**, the Town of Lancaster White Collar Unit of Local 815 has indicated no objections to the granting of this request.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that **Leonard R. Campisano**, an Assistant Building Inspector in the Building and Zoning Department, shall be permitted to carry over his twenty-one (21) hours of 1997 vacation time to his 1998 year of service with the Town of Lancaster.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR , WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK , TO WIT:

**WHEREAS**, the State of New York Department of Transportation (DOT) will  
be reconstructing Transit Road north from its intersection with French Road to Broadway in the  
Towns of Lancaster and Cheektowaga and the Village of Depew, and

**WHEREAS**, as a part of that construction, DOT. must acquire additional right-  
of-way along Transit Road, and

**WHEREAS**, the Town of Lancaster is the owner of four parcels which are paper  
streets known as Harding Avenue, Wilson Avenue, Hayes Avenue and Fillmore Avenue, with  
frontage on Transit Road and DOT has made an offer of settlement to the town for acquiring  
additional right-of-way affecting these town-owned parcels, and

**WHEREAS**, the Town Board has reviewed the offer made by DOT and deems it  
in the public interest to accept the offer of settlement for acquisition from DOT in the sum of  
\$9,600.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes  
the Supervisor of the Town of Lancaster to execute the Agreement of Adjustment and  
Agreement for Advance Payment for the consideration of \$9,600.00.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: rdotrow

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
COUNCIL MOVED ITS ADOPTION. SECONDED  
BY MEMBER MONTOUR TO WIT:

**WHEREAS**, a Public Hearing was held on the 16th day of June, 1997, for the purpose of amending Section 50-24 Light Industrial District, (B) Permitted Uses (1) Principal Structures and Uses of Chapter 50 Zoning of the Code of the Town of Lancaster, as follows:

CHAPTER 50 - ZONING

Chapter 50, Zoning, of the Code of the Town of Lancaster shall be amended as follows:

Section 50-24. Light Industrial District (LI).

.....

B. Permitted Uses.

- (1) Principal structures and uses, shall be amended  
By adding thereto the following:

.....

- “(f) Any commercial recreation activity.  
(special use permit required)

and,

**WHEREAS**, persons for and against such amendment have had an opportunity to be heard, and

**WHEREAS**, a Notice of Public Hearing was duly published and posted, and

**WHEREAS**, the Town Board has recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Section 50-24 (B) (1) of Chapter 50, Zoning, of the Code of the Town of Lancaster, County of Erie, and State of New York, be and hereby is amended;



2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 16th day of June, 1997;

3. That a certified copy of this amendment be published in the Lancaster Bee on June 19, 1997;

4. That a certified copy of this Amendment be posted on the Town Bulletin Board; and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: rzonorda.697

**LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT OF CHAPTER 50 ZONING  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN** that Section 50-24 (B) (1) of Chapter 50, Zoning of the Code of the Town of Lancaster be and is hereby amended as follows:

**CHAPTER 50 - ZONING**

Chapter 50, Zoning, of the Code of the Town of Lancaster shall be amended as follows:

Section 50-24. Light Industrial District (LI).

**B. Permitted Uses.**

- (1) Principal structures and uses, shall be amended  
By adding thereto the following:

- "(f) Any commercial recreation activity.  
(special use permit required)

July 7, 1997

**STATE OF NEW YORK :  
COUNTY OF ERIE : SS  
TOWN OF LANCASTER :**

This is to certify that **I, ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance Amendment with the original thereof filed in my office at Lancaster, New York, on the 7th day of July, 1997 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 8th day of July, 1997.

  
Robert P. Thill, Town Clerk

(SEAL)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK. TO WIT:

**WHEREAS**, the Executive Director of the Youth Bureau, by letter dated July 1, 1997, has recommended appointments for the Youth Bureau's 1997 Summer Tutorial Program.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individuals be and are hereby appointed to positions of Tutor in the Youth Bureau's 1997 Summer Tutorial Program of the Town of Lancaster at the rate of \$9.00 per hour:

Cassandra Damiani  
108 Pleasant View Drive  
Lancaster, New York 14086

Kelly Stutz  
63 Newberry Lane  
Lancaster, New York 14086

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK, WHO MOVED  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster is desirous of  
making an appointment to the Zoning Board of Appeals to fill a vacancy created by the death of  
Ronald R. Denzel.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that **JOHN N. KICAK**, 69 Taft Avenue, Lancaster, New York  
14086, be and is hereby appointed a member of the Zoning Board of Appeals of the Town of  
Lancaster for the period July 7, 1997 to December 31, 1999 which is the unexpired term of  
Ronald R. Denzel.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MONTOUR , TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has recently completed  
re-negotiation of the collective bargaining Agreement with the CSEA White Collar Unit, and

**WHEREAS**, after due consideration, the Town Board deems it to be appropriate  
to extend certain benefits received by members of the CSEA White Collar Unit to those white  
collar employees of the Town of Lancaster who are not entitled to be members of the White  
Collar Union and whose employment and benefits are governed by the Personnel Rules for  
Employees in the Service of the Town of Lancaster and other town board resolutions as have  
been adopted from time to time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes  
the extension of the following sections of the Agreement between the Town of Lancaster and the  
CSEA-Town of Lancaster White Collar Unit to all employees of the Town whose employment  
and benefits are governed by the Personnel Rules for Employees in the Service of the Town of  
Lancaster and other town board resolutions as have been adopted from time to time:

<b>ARTICLE 3.</b>	<b>VACATIONS</b>	Sections: 3.1.1 3.1.2
<b>ARTICLE 4.</b>	<b>HOLIDAYS</b>	Section 4.5.1
<b>ARTICLE 5.</b>	<b>SICK BENEFITS</b>	Sections 5.3.3 5.4.1
<b>ARTICLE 6.</b>	<b>DEATH IN FAMILY</b>	Sections 6.2.1 6.4.1
<b>ARTICLE 9.</b>	<b>WORKER'S COMPENSATION</b>	Sections 9.1 9.2

<b>ARTICLE 11.</b>	<b>OVERTIME - COMPENSATORY TIME</b>	Sections 11.1.1
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**ARTICLE 14. HOSPITALIZATION**

and

**BE IT FURTHER  
RESOLVED, as follows:**

1. In the event there is a conflict between the "Personnel Rules" and other resolutions and the contract provisions referred to herein, the contract provisions shall prevail, and

2. The extension of all contract provisions cited above shall commence immediately or as soon as the Town can effectuate a change, with the exception of Section 3.1.1 which shall be retroactive to January 1, 1997.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: rwc1rbft

PREFILED RESOLUTION NO. 12

12. Giza/\_\_\_\_\_ Authorize Agreement Lancaster Opera House Inc For Lease Of  
A Portion Of The Town Hall Subject To A Permissive  
Referendum

At the request of Supervisor Giza, this resolution was withdrawn for further  
study.

File: RWTHDRWN

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK. WHO  
MOVED ITS ADOPTION. SECONDED BY  
COUNCIL MEMBER MILLER . TO WIT:

**WHEREAS**, a Public Hearing was held on the 3rd day of February, 1997 on the Petition of MARRANO/MARC EQUITY, 2730 Transit Road, West Seneca, New York, for the rezone of certain property located on the north side of Walden Avenue (Trentwood Trail Extension), east of Seneca Place in the Town of Lancaster from an R1-Residential District One, to an R2-Residential District Two, and

**WHEREAS**, Notice of said Public Hearing has been duly published and posted,  
and

**WHEREAS**, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an R1-Residential District One, to an R2-Residential District Two:

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being parts of Lot Nos.11 and 12, Section 8, Township 11, Range 6 of the Holland Land Company's Survey, (so-called) bounded and described as follows:

**COMMENCING** at the intersection of the center lines of Walden Avenue and a street known as Traceway;

**THENCE** Southwesterly along the centerline of Walden Avenue 778.90 feet;

**THENCE** Northerly 306.69 feet to a point in the westerly line of Parcel XXIII of the lands conveyed to Manufacturers and Traders Trust Company recorded in Liber 9037 of Deeds at Page 67 distant 300.0 feet northerly from the center line of Walden Avenue measured at right angles thereto and the point of beginning of the parcel here described;

**THENCE** Northerly along the westerly line of Parcel XXIII 2433.05 feet to the northerly line of Lot 11;



**THENCE** Westerly along the northerly line of Lot 11, 475.48 feet to the southeasterly corner of the lands conveyed to the Bowmansville Fire Association recorded in Liber 8471 of Deeds at Page 183;

**THENCE** Northerly along the easterly line of said Association 348.50 feet to the northeasterly corner thereof;

**THENCE** Easterly parallel with the southerly line of Lot 12, 760.06 feet to a point which is an extension northerly of the easterly line of Parcel XXIII as referred to above;

**THENCE** southerly along said extension and along the easterly line of Parcel XXIII 2715.90 feet to a point distant 300.0 feet northerly from the center line of Walden Avenue measured at right angles thereto;

**THENCE** Southwesterly, parallel with the center line of Walden Avenue 280.95 feet to the point of beginning.

**Excepting** however that portion of the above described lying within the bounds of Seitz Avenue.

The above described containing 21.30 acres exclusive of the area lying within the bounds of Seitz Avenue.

2. This rezone is subject to the following conditions:

- a) A berm three (3) feet high with plantings three (3) feet by five (5) feet, subject to review by the Town Board, shall be constructed on the east side of the Trentwood Trail development with the exception of the wetlands and the drainage basin. If a berm is not feasible after engineering is done, substantial landscaping with a minimum of five (5) ft. Trees and a minimum separation of ten feet (10') as approved by the Town Board will be required.
- b) A tree survey of the northeast corner of the property (lots 13-21) is to be conducted before development to determine trees to be saved. Best efforts shall be made to save trees 6-inches or larger in caliper.
- c) Clearing and stripping of the property shall be limited to the right-of-way, easements and detention areas, and other required areas in accordance with final engineering plans.
- d) Development shall be limited to single family dwellings and construction shall be a minimum of 1200 sq. ft. for ranches and 1300 sq. ft. For two-story with attached garages and hard driveways.
- e) The street to the north of Walden Trace shall be constructed with Phase I of development.
- f) The developer shall agree to the following penalty schedule:
  - No work shall commence until after 8:00 A.M. Monday through Friday and not prior to 9:00 A.M. on Saturday. All work shall cease at 6:00 P.M. Monday through Saturday. No work shall take place on Sundays or Holidays. Any infractions shall have a penalty of \$100. for each infraction payable to the Town of Lancaster for youth activities.

- All debris, trash, construction material shall be picked up on a daily basis. All items shall be cleaned from any Walden Trace properties, streets, common areas and ponds, daily. Failure to comply will have a penalty of \$75. per infraction payable to the Town of Lancaster for youth activities.
- Any use of foul or profane language from Marrano employees or subcontractors shall result in the immediate removal of that employee from the work site along with a penalty of \$50. payable to the Town of Lancaster for youth activities.

3. That the said Ordinance be added in the minutes of the Town Board of the Town of Lancaster held on the 3rd day of February, 1997.

4. That a certified copy thereof be published in the Lancaster Bee on or before the 10th day of July, 1997:

5. That Affidavits of Publication be filed with the Town Clerk; and

6. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: rarztrwd

**LEGAL NOTICE  
NOTICE OF ADOPTION OF AMENDMENT  
ZONING ORDINANCE, TOWN OF LANCASTER  
TRENTWOOD TRAIL**

**LEGAL NOTICE IS HEREBY GIVEN,** that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an R1-Residential District One, to an R2-Residential District Two:

**ALL THAT TRACT OR PARCEL OF LAND,** situate in the Town of Lancaster, County of Erie and State of New York, being parts of Lot Nos. 11 and 12, Section 8, Township 11, Range 6 of the Holland Land Company's Survey, (so-called) bounded and described as follows:

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**THENCE** Westerly along the northerly line of Lot 11, 475.48 feet to the southeasterly corner of the lands conveyed to the Bowmansville Fire Association recorded in Liber 8471 of Deeds at Page 183;

**THENCE** Northerly along the easterly line of said Association 348.50 feet to the northeasterly corner thereof;

**THENCE** Easterly parallel with the southerly line of Lot 12, 760.06 feet to a point which is an extension northerly of the easterly line of Parcel XXIII as referred to above;

**THENCE** southerly along said extension and along the easterly line of Parcel XXIII 2715.90 feet to a point distant 300.0 feet northerly from the center line of Walden Avenue measured at right angles thereto;

**THENCE** Southwesterly, parallel with the center line of Walden Avenue 280.95 feet to the point of beginning.

**Excepting** however that portion of the above described lying within the bounds of Seitz Avenue.

The above described containing 21.30 acres exclusive of the area lying within the bounds of Seitz Avenue.

1. This rezone is subject to the following conditions:
  - a) A berm three (3) feet high with plantings three (3) feet by five (5) feet, subject to review by the Town Board, shall be constructed on the east side of the Trentwood Trail development with the exception of the wetlands and the drainage basin. If a berm is not feasible after engineering is done, substantial landscaping with a minimum of five (5) ft. Trees and a minimum separation of ten feet (10') as approved by the Town Board will be required.

- b) A tree survey of the northeast corner of the property (lots 13-21) is to be conducted before development to determine trees to be saved. Best efforts shall be made to save trees 6-inches or larger in caliper.
- c) Clearing and stripping of the property shall be limited to the right-of-way, easements and detention areas, and other required areas in accordance with final engineering plans.
- d) Development shall be limited to single family dwellings and construction shall be a minimum of 1200 sq. ft. for ranches and 1300 sq. ft. For two-story with attached garages and hard driveways.
- e) The street to the north of Walden Trace shall be constructed with Phase I of development.
- f) The developer shall agree to the following penalty schedule:
  - No work shall commence until after 8:00 A.M. Monday through Friday and not prior to 9:00 A.M. on Saturday. All work shall cease at 6:00 P.M. Monday through Saturday. No work shall take place on Sundays or Holidays. Any infractions shall have a penalty of \$100. for each infraction payable to the Town of Lancaster for youth activities.
  - All debris, trash, construction material shall be picked up on a daily basis. All items shall be cleaned from any Walden Trace properties, streets, common areas and ponds, daily. Failure to comply will have a penalty of \$75. per infraction payable to the Town of Lancaster for youth activities.
  - Any use of foul or profane language from Marrano employees or subcontractors shall result in the immediate removal of that employee from the work site along with a penalty of \$50. payable to the Town of Lancaster for youth activities.

July 7, 1997

**STATE OF NEW YORK :**  
**COUNTY OF ERIE : ss:**  
**TOWN OF LANCASTER:**

This is to certify that **I, ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said County Erie, have compared the foregoing copy of An Ordinance Amendment with the original thereof filed in my office at Lancaster, New York on the 7th day of July, 1997 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 8th day of July, 1997.

Robert P. Thill  
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, BENDERSON DEVELOPMENT CO., INC., 570 Delaware Avenue, Buffalo, New York 14202, has submitted a Site Plan dated April, 1997 and received June 10, 1997, for the construction of a Video Store (Hollywood Video Store) on property located in the Transit-Rehm Plaza on the east side of Transit Road, north of Rehm Road in the Town of Lancaster, and

**WHEREAS**, the Planning Board has reviewed the plan, and by letter dated June 22, 1997, recommended approval of this project;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by BENDERSON DEVELOPMENT CO., INC., for construction of a video store (Hollywood Video Store) on property located on the east side of Transit Road, north of Rehm Road, in the Town of Lancaster, with plan prepared by Lauer-Manguso & Associates, Architects, and dated April 1997, subject to the following condition:

-- Parking Lot Islands shall be landscaped.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: rasite.797

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
MILLER, TO WIT:

Page 509

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from their  
respective accounts:

Claim No. 14597 to Claim No. 14943 Inclusive

Total amount hereby authorized to be paid: **\$1,112,446.36**

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCIL MEMBER KWAK, WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCIL  
 MEMBER MONTOUR, TO WIT:

**RESOLVED** that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

**NEW PERMITS:**

No.	<u>Code</u>	<u>Applicant</u>	<u>Street Address</u>	<u>Structure</u>
4236		Lancaster Pri Med	4711 Transit Rd	Er. Temp
4286		Joseph Czine	18 Traceway	Er. Fence
4287		Paul Pionessa	6217 Genesee St	Er. Shed
4288		Edwin Peterson	35 Michael's Wlk	Er. Deck
4289		Neth & Son Inc	187 Enchanted Fst S	Alter Sin. Dwlg
4290		Richard Ederer	44 Cardinal Ct	Er. Pool
4291		Michael Narde	104 Newberry Ln	Er. Deck
4292		Jeffrey Panfil	8 Robins Nest Ct	Er. Pool
4293		Josh Defino	13 Ryan St	Er. Deck
4294		John Lyons	28 Petersbrook Cir	Er. Shed
4295		Double R Carpentry	3857 Walden Ave	Er. Mfg. Bldg.
4296		Daniel Prenoveau	29 Fieldstone Ln	Er. Deck
4297		Centennial Homes Inc	23 Katelyn Ln	Er. Sin. Dwlg
4298		Lovejoy Bldrs Inc	47 Sagebrush Ln	Er. Sin. Dwlg
4299		M. J. Ogiony Bldrs.	53 Village View	Er. Sin. Dwlg
4300		Airtek Corp	4087 Walden Ave	Ext. Mfg. Bldg
4301		Michael Pilarski	11 Winding Way	Er. Pool
4302		Scott Corrie	27 Arrow Trail	Er. Deck
4303		Martin Schuman	37 Michael's Wlk	Er. Shed
4304		Chris Hyde	5104 William St	Er. Garage
4305		Anthony Santucci	3883 Walden Ave	Er. Pole Barn

4306	Karen Krzemin	11 Steinfeldt Rd	Er. Shed
4307	Daniel R Greene	10 Riemers Ave	Er. Foundation
4308	Amatuzzo	9 Westbury Ln	Er. Fence
4309	Michael Randall	16 Heritage Dr	Er. Pool
4310	Mark Norton	71 Newberry Ln	Er. Deck
4311	All Craft Inc	72 Steinfeldt Rd	Er. Porch Roof
4312	Kenneth Engelhart	21 E Home Rd	Dem/Er Garage
4313	Brian Conaway	1 Dorchester Ct	Er. Deck
4314	Thomas Olszewski	632 Pleasant View Dr	Er. Pool
4315	John & Mary's	6425 Transit Rd	Er. Deck
4316	Ronald Daniels	56 Old Post Rd	Er. Pool
4317	Lynn Stewart	8 Woodgate Dr	Er. Fence
4318	Pat Hamilton	47 Glendale Dr	Er. Deck
4319	Niagara Const Co Inc	2663 Wehrle Dr	Ex. Group House
4320	Stephen Ruminski	14 Rue Madeleine Wa	Er. Deck
4321	Mark Veeder	26 Michael Anthony	Er. Deck
4322	Dennis Reedy	8 Butler Dr	Er. Deck/Roof
4323	Mary Jo Lobeutto	6691 Transit Rd	Dem. Sin. Dwlg
4324	Linda Gauss	266 Warner Rd	Er. Fence
4325	Majestic Pools Inc	123 Ransom Rd	Er. Pool
4326	Robert Smith	10 Michael Anthony	Er. Pool
4327	Constance Balduzzi	6 Grafton Ct	Er. Fence
4328	Robert Bahn	25 Traceway	Er. Deck
4329	John Kiel	45 Via Donato E	Er. Pool
4330	Janice Plucinski	78 Pheasant Run Ln	Er. Gazebo
4331	Marrano/Marc Equity	29 Riemers Ave	Er. Sin. Dwlg
4332	Another Custom Home	37 Stonehedge Dr	Er. Dbl. Dwlg
4333	Burke Bros Const	6 Ryan St	Er. Sin. Dwlg
4334	Capretto Homes	288 Enchanted Fst N	Er. Sin. Dwlg
4335	Sunrise Bldrs Inc	18 Hunters Dr	Er. Sin. Dwlg
4336	Brian & Karen Neary	25 Cambridge Ct	Er. Sin. Dwlg
4337	Ryan Homes	7 Michael Anthony	Er. Sin. Dwlg
4338	Mr & Mrs Francis Musello	5232 William St	Er. Shed, Pool



4339	Terrance & Judith Sullivan	27 Woodgate Dr	Er. Deck
4340	Gary & Christine Voight	8 Michael Anthony	Er. Deck
4341	Joseph Strapason	65 Quail Run Ln	Er. Sin. Dwlg
4342	Andrea Chojecki	40 Pleasant View Dr	Er. Pool
4343	Majestic Pools Inc	24 Greenmeadow Dr	Inst. Pool, Fence
4344	Tim Bly	1440 Townline Rd	Er. Pool
4345	Patricia LoJacono	10 Grafton Ct	Er. Shed, Pool
4346	Mr & Mrs Todorov	6 Butler Dr	Er. Fence
4347	Carl Taylor	39 Woodgate Dr	Er. Pool
4348	Paul Trubish	8 Overton Ct	Er. Shed
4349	Argeni Home	73 Newberry Ln	Er. Sin. Dwlg
4350	Barry Debbin	34 Whitestone Ln	Er. Deck
4351	Forbes Homes, Inc	34 Hill Valley Dr	Er. Sin. Dwlg

#### BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

**THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MILLER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER KWAK , TO WIT:**

**WHEREAS**, Terrence D. McCracken, General Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster in charge of the tree planting program of the Town of Lancaster, by letter dated July 2, 1997, has requested authorization to purchase ninety-five (95) additional trees in conjunction with the Spring 1997 Tree Planting Program of the Town of Lancaster, and

**WHEREAS**, this request is in conformance with the general purpose and intent of the overall reforestation program of the Town of Lancaster, namely the planting of road side trees on streets and parks within the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the General Crew Chief in charge of the Tree Planting Program of the Town of Lancaster be and is hereby authorized to purchase from Concord Nursery ninety-five (95) additional trees at a cost of \$2,432.70.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 7, 1997

**COMMUNICATIONS:**

Page 514

- 438. Building Inspector to Town Board -  
Request building permit fee clarification re: EPIC Capital Corporation for EPIC dome replacement. DISPOSITION: Received & Filed
- 439. THE OTHER PLACE -  
Article entitled "An Opposite View On Urban Policy". DISPOSITION: Received & Filed
- 440. Ryan Homes to Supervisor -  
Notice of relocation to West Seneca. DISPOSITION: Received & Filed
- 441. Sandra K. Styka, Esq., to Supervisor -  
Comments re: Chautauqua Conference on Regional Governance. DISPOSITION: Received & Filed
- 442. Planning Board to Town Board -  
Minutes from meeting held 6/18/97. DISPOSITION: Received & Filed
- 443. Planning Board to Town Board -  
Recommend approval of Basil Chevrolet site plan for corner of Transit Rd/Como Park Blvd. DISPOSITION: Planning Committee
- 444. Planning Board to Town Board -  
Recommend approval of Benderson Development site plan for Hollywood Video store at Transit/Rehm Rds. DISPOSITION: Received & Filed
- 445. Council Member Montour to Harry Konst -  
Letter confirmation re: responsibility of mosquito problem at AHEPA site. DISPOSITION: Received & Filed
- 446. Town Clerk to Zoning Board Members, Building Inspector and Town Attorney -  
Transmittal of variances for meeting to be held 7/10/97. DISPOSITION: Received & Filed
- 447. Town Clerk of Marilla to Town Clerk -  
Notice of public hearing to be held 7/10/97 re: proposed Local Law No. 7 of 1997 - "Town of Marilla Telecommunications Facilities Law". DISPOSITION: Received & Filed
- 448. Bowmansville VFA to Planning Board Chair. -  
Comment re: Benderson Development - Hollywood Video Store site plan. DISPOSITION: Received & Filed
- 449. NYS Archives and Records Administration to Supervisor -  
Notification that Town's LGRMIF grant application has not been recommended for funding in the 97/98 grant cycle. DISPOSITION: Received & Filed
- 450. Joseph/Sandra Czajka, Schwartz Rd., to Supervisor -  
Complaints re: appearance of fencing facing homeowner's property. DISPOSITION: Town Attorney
- 451. MFS Network Technologies to Highway Supt. -  
Notification of commencement of work this month within the NYS Thruway Corridor. DISPOSITION: Received & Filed
- 452. Mayor Masiello to Supervisor -  
Notice of meeting to be held 7/14/97. DISPOSITION: Supervisor
- 453. Donald DiPaolo to Supervisor -  
Commendation of Terrence McCracken for assistance in having tree branch removed from creek. DISPOSITION: Received & Filed
- 454. Town Line VFD to Planning Board Chair. -  
Concerns re: Good Earth Organic site plan. DISPOSITION: Building Inspector, Planning Committee
- 455. Town Clerk to Media -  
Notice of special meeting held 6/27/97 re: Twin District VFC. DISPOSITION: Received & Filed
- 456. NYSDOT Real Estate Group to Town -  
Transmittal of Notice of Appropriation re: Parcel 205. DISPOSITION: Received & Filed

457. NYSDOT Real Estate Group to Town -  
Transmittal of Notice of Appropriation re: Parcels 222, 223, 224, 227. DISPOSITION:  
Received & Filed
458. Town Clerk to Chief, Twin District VFC -  
Transmittal of resolution re-setting public hearing re: Tax Exempt Note Sale for 7/15/97.  
DISPOSITION: Received & Filed
459. Ass't Building Inspector Campisano to Town Board -  
Request carry over of 1997 vacation time to 1998 service year. DISPOSITION: Received &  
Filed
460. Fox & Co. to Town Board -  
Transmittal of copies of Comprehensive Annual Financial Report for year ended 12/31/96.  
DISPOSITION: Received & Filed
461. Town Clerk to Town Board -  
Notification of contract to expire September 1997. DISPOSITION: Town Attorney
462. Youth Bureau Ex. Dir. To Town Board -  
Recommendation of two tutors for 1997 summer program. DISPOSITION: Received & Filed
463. Building Inspector to Town Board -  
Request re-examination of proposed change to Chapter 50-24, Light Industrial District.  
DISPOSITION = Received & Filed
464. NYSDOT to Town Attorney -  
Sets new requirements for site plan review. DISPOSITION: Town Engineer
465. Town Attorney to United Postal Service -  
Requests the Postal Service to provide Town Attorney's Office with plans for screening at  
the new Postal Service Site. DISPOSITION: Planning Committee
466. Chief of Police to Planning Board Chairman -  
Approval of name for site plan for "D'Aprile Springs" and for private road within, "Spring  
Way". DISPOSITION: Received & Filed
467. Chief of Police to Planning Board Chairman -  
Requesting more information about the from Good Earth Organics about their site plan.  
DISPOSITION: Planning Committee
468. Town Clerk to Various Newspapers -  
Notice of SEQR Review meeting to review a proposed code amendment to the Town of  
Lancaster Zoning Ordinance, Chapter 50-24.B to be held 7/7/97. DISPOSITION: Received &  
Filed
469. Town Clerk to Supervisor -  
Monthly report for June, 1997. DISPOSITION: Received & Filed
470. Planning Board to Town Board -  
Recommends approval of site plan for D'Aprile Springs. DISPOSITION: Planning  
Committee
471. Planning Board to Town Board -  
Voted unanimously to table the site plan for Good Earth Organics. DISPOSITION:  
Planning Committee
472. Planning Board to Town Board -  
Recommends approval of site plan for Advantage Truck. DISPOSITION: Planning  
Committee
473. CSEA, Inc Town of Lancaster President to Supervisor -  
Transmits the approval of the union to request for carry-over on vacation time for L.  
Campisano. DISPOSITION: Received & Filed
474. Twin District Fire Chief to Building Inspector -  
Repeats his request for the repair of the fire hydrant in Foreststream Plaza. DISPOSITION:  
Town Attorney, Building Inspector
475. LIDA to Supervisor -  
Notice of Public Hearing on 7/17/97 to consider the request for Agency approval in the form  
of a taxable IDA Revenue Bonds for Air System Products, Inc. Project. DISPOSITION:  
Received & Filed

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476. NYS Board of Real Property Services to Town Board -  
Transmittal of Certificate of Final Special Franchise Assessments for 1997. DISPOSITION: Received & Filed
477. Schmitts Garage to Town Board -  
Transmittal of landscape plantings in front of the parking lot and Home Road side.  
DISPOSITION: Planning Committee
478. ECDOH to Town of Lancaster -  
Transmittal of approval permit for waterline relocations on Transit Road/US 20 and NY 78  
(Broadway to French Road). DISPOSITION: Town Engineer
479. ECDEP to Supervisor -  
Notification of available help in the development of a community wide master plan.  
DISPOSITION: Received & Filed
480. Parks & Recreation Department to Council Member Miller -  
Requests that the contract with Concord Nursery be amended to reflect the additional 95  
trees ordered for the tree planting program. DISPOSITION: Received & Filed
481. Dormitory Authority of the State of New York to Town Clerk -  
Requests to conduct a coordinated SEQR review for Niagara Lutheran Home &  
Rehabilitation Center. DISPOSITION: Received & Filed

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER MILLER AND SECONDED BY THE ENTIRE  
TOWN BOARD AND CARRIED, the meeting was adjourned at 10:20 P.M.

*Robert P. Thill*

Robert P. Thill, Town Clerk